

Conference Engrossed

State of Arizona
House of Representatives
Forty-sixth Legislature
Second Regular Session
2004

CHAPTER 299

HOUSE BILL 2478

AN ACT

AMENDING SECTION 33-1808, ARIZONA REVISED STATUTES; RELATING TO PLANNED COMMUNITIES.

(TEXT OF BILL BEGINS ON NEXT PAGE)



Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 33-1808, Arizona Revised Statutes, is amended to read:

33-1808. American flag display; political signs

Notwithstanding any provision in the community documents, an association shall not prohibit ANY OF THE FOLLOWING:

1. The outdoor display of the American flag by an association member on that member's property if the American flag is displayed in a manner consistent with the federal flag code (P.L. 94-344; 90 Stat. 810; 4 United States Code sections 4 through 10). The association shall adopt reasonable rules and regulations regarding the placement and manner of display of the American flag. The association rules may regulate the location and size of flagpoles but shall not prohibit the installation of a flagpole.

2. THE INDOOR OR OUTDOOR DISPLAY OF A POLITICAL SIGN BY AN ASSOCIATION MEMBER ON THAT MEMBER'S PROPERTY, EXCEPT THAT AN ASSOCIATION MAY PROHIBIT THE DISPLAY OF POLITICAL SIGNS EARLIER THAN FORTY-FIVE DAYS BEFORE THE DAY OF AN ELECTION AND LATER THAN SEVEN DAYS AFTER AN ELECTION DAY. AN ASSOCIATION MAY REGULATE THE SIZE AND NUMBER OF POLITICAL SIGNS THAT MAY BE PLACED ON A MEMBER'S PROPERTY IF THE ASSOCIATION'S REGULATION IS NO MORE RESTRICTIVE THAN ANY APPLICABLE CITY, TOWN OR COUNTY ORDINANCE THAT REGULATES THE SIZE AND NUMBER OF POLITICAL SIGNS ON RESIDENTIAL PROPERTY. IF THE CITY, TOWN OR COUNTY IN WHICH THE PROPERTY IS LOCATED DOES NOT REGULATE THE SIZE AND NUMBER OF POLITICAL SIGNS ON RESIDENTIAL PROPERTY, THE ASSOCIATION SHALL PERMIT AT LEAST ONE POLITICAL SIGN WITH THE MAXIMUM DIMENSIONS OF TWENTY-FOUR INCHES BY TWENTY-FOUR INCHES ON A MEMBER'S PROPERTY. FOR THE PURPOSES OF THIS PARAGRAPH, "POLITICAL SIGN" MEANS A SIGN THAT ATTEMPTS TO INFLUENCE THE OUTCOME OF AN ELECTION, INCLUDING SUPPORTING OR OPPOSING THE RECALL OF A PUBLIC OFFICER OR SUPPORTING OR OPPOSING THE CIRCULATION OF A PETITION FOR A BALLOT MEASURE, QUESTION OR PROPOSITION OR THE RECALL OF A PUBLIC OFFICER.

Sec. 2. Retroactivity

Section 33-1808, Arizona Revised Statutes, as amended by this act, applies retroactively to from and after July 3, 2004.

APPROVED BY THE GOVERNOR JUNE 1, 2004.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JUNE 1, 2004.

Passed the House March 8, 2004,

Passed the Senate May 3, 2004,

by the following vote: 41 Ayes,

by the following vote: 20 Ayes,

17 Nays, 2 Not Voting

7 Nays, 3 Not Voting

Jake Flake
Speaker of the House

John Bennett
President of the Senate

Norman L. Moore
Chief Clerk of the House

Channing Billings
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

_____ day of _____, 20____,

at _____ o'clock _____ M.

Secretary to the Governor

Approved this _____ day of

_____, 20____,

at _____ o'clock _____ M.

Governor of Arizona

H.B. 2478

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this _____ day of _____, 20____,

at _____ o'clock _____ M.

Secretary of State

HOUSE FINAL PASSAGE
as per Joint Conference

Passed the House May 24, 2004,

by the following vote: 40 Ayes,

11 Nays, 9 Not Voting

Mike Flake
Speaker of the House

Thomas L. Moore
Chief Clerk of the House

SENATE FINAL PASSAGE
as per Joint Conference

Passed the Senate May 25, 2004,

by the following vote: 21 Ayes,

8 Nays, 1 Not Voting

Ken Blunt
President of the Senate

Chaimon Belmont
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor

this 25th day of May, 2004

at 4:20 o'clock P. M.

Jennifer Harbo
Secretary to the Governor

Approved this 1 day of

June, 2004,

at 3:45 o'clock P. M.

Jon R. Ralston
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 1 day of June, 2004

at 4:38 o'clock P. M.

Janice K. Brewer
Secretary of State

H.B. 2478